

**REMARKS**

Claims 1-28 are pending in the application. Claims 5, 7-13, 18, and 20-26 are withdrawn from consideration. Claim 29 has been cancelled. Favorable reconsideration of the application is respectfully requested in view of the following.

Applicants wish to clarify that the claim set entered March 17, 2005 as a part of a Preliminary Amendment is the proper claim set of the present application. The claim set of August 29, 2005 was submitted for purposes of responding to a Notification of Missing Requirements, in which Applicants attempted to clarify that the Preliminary Amendment of March 17, 2005 had amended the original claim set. More specifically, Applicants had submitted on August 29, 2005 a translation of the entire application with the original claims not encompassing the Preliminary Amendment, in the event that the USPTO preferred to instead have such translation.

Furthermore, Applicants acknowledge, with appreciation, that the Examiner has deemed claims 14-17, 19, and 27 to be directed toward statutory subject matter.

***II. REJECTION UNDER 35 USC §102(b)***

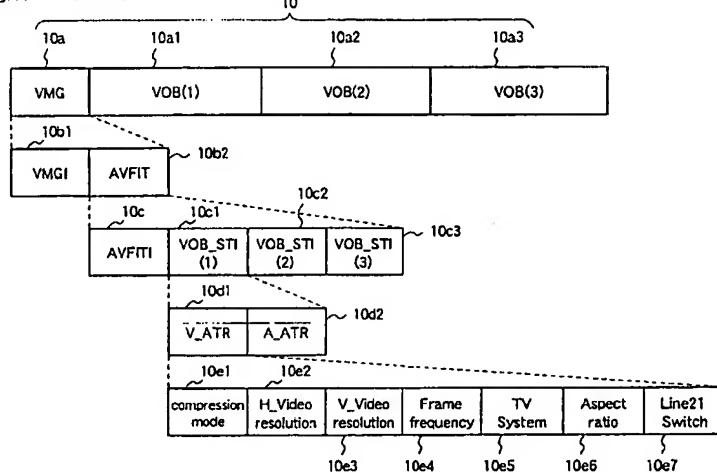
Claims 1-4, 6, 14-17, 19, and 27-28 stand rejected under 35 U.S.C. §102(b) as being unpatentable over Fukuda et al. (US Patent No. 6,856,759). Applicants respectfully traverse the rejection, as Fukuda et al. fails to teach management information including an aspect ratio for each set of encoded data.

Claim 1 of the present application recites, *inter alia*, a management information generating section for generating management information which is used to manage process of the encoded stream, the management information including the aspect information for each set of the encoded data.

As defined by the Applicants at page 29, lines 9-10 of the present application, a "set of encoded data" refers to a video object unit (VOBU). Accordingly, in claim 1, for each VOBU, aspect information is generated.

Fukuda et al. is directed to a recording and coding apparatus that includes a VMG generator 110 for generating management information for each video object (VOB) on the basis of video attribute data. Figure 19 of Fukuda et al., reproduced below, illustrates the inclusion of a video manager 10a within an encoded stream having three VOBs (i.e., VOB(1), VOB(2), VOB(3)).

Fig.19 Prior Art



The video manager 10a includes an audio video file information table 10b2 that further includes VOB stream information (i.e., 10c1, 10c2, 10c3). The VOB stream information (i.e., 10c1) includes video attribute information 10d1, such as the aspect ratio 10e6 of the respective VOB.

Fukuda et al. discloses that each VOB is composed of a plurality of video object units (VOBUs). (Fukuda, Col. 3, lines 32-36.) Hence, the video manager 10a of Fukuda et al., as included in the encoded stream, includes an overall aspect ratio for the entire plurality of video object units of each respective VOB.

Fukuda et al. does not disclose management information including the aspect information for each set of the encoded data (i.e., each video object unit), as recited in claim 1. Instead, as described above, Fukuda et al. discloses an overall aspect ratio for a given VOB.

Therefore, Fukuda et al. fails to disclose all of the features of claim 1. Similar arguments apply to independent claims 14, 27, and 28, which recite similar features.

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Furthermore, claims 2-4, 6, 15-17, and 19, which respectively depend from claims 1 and 14 are distinguishable over Fukuda et al. for at least the above-stated reasons. Withdrawal of the rejection under 35 U.S.C. §102(b) is respectfully requested.

**III. REJECTION UNDER 35 USC §103(a)**

Claim 29 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Fukuda in view of Yamada et al. (US Patent No. 6,750,917). Claim 29 has been canceled, thereby rendering the rejection under 35 U.S.C. §103(a) moot. Withdrawal of the rejection is respectfully requested.

**IV. CONCLUSION**

Accordingly, all claims are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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